

Applicants : Shinsaku FUJIMORI et al

For : CEMENT COMPOSITION

PCT International Application No.: PCT/JP01/01259

PCT International Filing Date: February 21, 2001

U.S. Application No.

(if known, see 37 CFR 1.5): 09/786 967

Atty. Docket No.: Furuya Case 1388

Box PCT

Assistant Commissioner for Patents

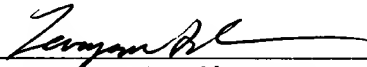
Washington, DC 20231

# **FIRST CLASS MAILING CERTIFICATE**

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR 1.8 as first class mail in an envelope addressed to:

Assistant Commissioner for Patents, Washington, DC 20231, on September 6, 2001.

  
Terryence F. Chapman

TFC/smd

FLYNN, THIEL, BOUTELL  
& TANIS, P.C.  
2026 Rambling Road  
Kalamazoo, MI 49008-1699  
Phone: (616) 381-1156  
Fax: (616) 381-5465

Dale H. Thiel	Reg. No. 24 323
David G. Boutell	Reg. No. 25 072
Ronald J. Tanis	Reg. No. 22 724
Terryence F. Chapman	Reg. No. 32 549
Mark L. Maki	Reg. No. 36 589
David S. Goldenberg	Reg. No. 31 257
Sidney B. Williams, Jr.	Reg. No. 24 949
Liane L. Churney	Reg. No. 40 694
Brian R. Tumm	Reg. No. 36 328
Tricia R. Cobb	Reg. No. 44 621

Correspondence: Form PTO-1390 dated September 6, 2001  
including enclosures listed thereon

390.9912

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

US

EXPRESS MAIL LABEL NO.: None

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER: Furuya Case 1388

U.S. APPLICATION NO.

(If known, see 37 CFR 1.5): 09/786 967

INTERNATIONAL APPLICATION NO.: PCT/JP01/01259 INTERNATIONAL FILING DATE: February 21, 2001

PRIORITY DATE CLAIMED: February 14, 2001

TITLE OF INVENTION: CEMENT COMPOSITION

APPLICANTS FOR DO/EO/US: (1) Shinsaku FUJIMORI and (2) Shigeji KOBORI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:  
 Acknowledgement Postal Card

17. ☐ The following fees are submitted:

**CALCULATIONS PTO USE ONLY**

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO .... \$1000.00  
International preliminary examination fee (37CFR 1.482) not  
paid to USPTO but International Search Report prepared by  
the EPO or JPO ..... \$ 860.00  
International preliminary examination fee (37 CFR 1.482) not  
paid to USPTO but international search fee (37 CFR 1.445(a)(2))  
paid to USPTO ..... \$ 710.00  
International preliminary examination fee paid to USPTO (37  
CFR 1.482) but all claims did not satisfy provisions of PCT  
Article 33(1)-(4) ..... \$ 670.00  
International preliminary examination fee paid to USPTO (37 CFR  
1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ... \$ 100.00  
**ENTER APPROPRIATE BASIC FEE AMOUNT = \$**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)). \$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =		X \$ 18.00	\$
Ind. claims	- 3 =		X \$ 80.00	\$
MULTIPLE DEPENDENT CLAIMS (if applicable)			+ \$270.00	\$
<b>TOTAL OF ABOVE CALCULATIONS</b>			<b>=</b>	<b>\$</b>

Reduction of 1/2 for filing by small entity, if applicable. Small Entity Statement  
must also be filed (Note 37 CFR 1.9, 1.27, 1.28). - \$  
**SUBTOTAL = \$**

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)). + \$  
**TOTAL NATIONAL FEE = \$**


Fee for recording assignment (37 CFR 1.21(h)). The assignment must be accompanied  
by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$  
**TOTAL FEES ENCLOSED = \$**  
**Amount to be refunded \$**  
**charged \$**

- a. ☐ A check in the amount of \$ to cover the above fees is enclosed.  
b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate  
copy of this sheet is enclosed.  
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a)  
or (b)) must be filed and granted to restore the application to pending status.**

IN DUPLICATE

SEND ALL CORRESPONDENCE TO:  
FLYNN, THIEL, BOUTELL & TANIS, P.C.  
2026 Rambling Road  
Kalamazoo, Michigan 49008-1699

  
Terryence F. Chapman  
Registration Number: 32 549

Express Mail Label No.: None  
IN THE U.S. PATENT AND TRADEMARK OFFICE  
September 6, 2001

Applicants : Shinsaku FUJIMORI et al  
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Washington, DC 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In compliance with the provisions of Rules 97(e)(1) and 1.98, enclosed herewith is a copy of the International Search Report, mailed June 12, 2001, Form PTO-1449 and the references cited thereon. The relevance of these references is explained on the enclosed search report. Accordingly, further comment at this point in time should not be necessary.

I hereby certify that each item of information contained in this Information Disclosure Statement was cited not more than three months prior to the filing of this statement.

Further consideration is respectfully solicited.

Respectfully submitted,

TFC/smd

  
Terryence F. Chapman

FLYNN, THIEL, BOUTELL	Dale H. Thiel	Reg. No. 24 323
& TANIS, P.C.	David G. Boutell	Reg. No. 25 072
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	Liane L. Churney	Reg. No. 40 694
	Brian R. Tumm	Reg. No. 36 328
	Tricia R. Cobb	Reg. No. 44 621

Encl: Copy of International Search Report  
dated June 12, 2001 (3 pages)  
Form PTO-1449 and references cited thereon  
Postal Card

INFORMATION  
DISCLOSURE  
CITATION

Applicant: **Shinsaku FUJIMORI et al**  
 Ser.No. : 09/786 967 Filed : March 12, 2001  
 Group : Unknown Atty.Ref.: Furuya Case 1388

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date
	AA	5 718 757	2/1998	GUILLOU et al		
	AB	4 505 752	3/1985	SHERIF et al		
	AC	4 487 632	12/1984	SHERIF et al		
	AD					
	AE					
	AF					
	AG					
	AH					
	AI					
	AJ					
	AK					

## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	Translation Yes No
	AL	63-256557	10/1988	Japan		X
	AM					
	AN					
	AO					
	AP					

## OTHER DOCUMENTS (Including Author, Title, Date, Pages, Etc.)

	AR	
	AS	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.